

App. No. 10/624,090
Amendment Dated February 4, 2005
Reply to Office Action of October 4, 2004.

Remarks

Reconsideration and withdrawal of the rejections of record are respectfully requested in view of the amendments to the claims and the remarks set forth below.

Claims 1 -3, 15, 23 and 24 have been cancelled without prejudice. The amendments made to claim 4 are made for purpose of placing it in independent form. Amendments to the remaining claims are made for the purposes of having them depend from claim 4 instead of claim 1.

Claim Rejections – 35 U.S.C. §102

The Examiner has rejected claims 1-24 under 35 U.S.C. §102(e) as being anticipated by *Kanada et al.*, U.S. Publication No. 2002/0194317. Applicant respectfully traverses this rejection as being in error. *Kanada et al.* does not disclose or suggest the use of traffic descriptors.

The examiner cites paragraphs [0070] and [0075], as well as “traffic controller” 821 of figure 8, for the proposition that *Kanada et al.* teach “at least one traffic descriptor for said application based at least in part on said profile....” (Paragraph 6 of Detailed Action.) However, this cite does not support the rejection of claims 4 or 5, or any claim depending from them. First, there is no mention of a “traffic descriptor.” The traffic controller is part of a router 121 that controls traffic in the network interfaces of the network router by interfacing with a “low-level policy” database 813 that is compiled from a high level policy in database 811. See paragraphs [0071] and [0072]. The traffic controller uses only a low-level policy database and a queue configuration table 814 to control the interfaces. The traffic controller therefore cannot generate a configuration information from traffic descriptors. Second, as explained by the present applicant, starting in paragraph [0025] of the present application, traffic descriptors are preferably Boolean expressions of primitive network elements, that then are used to generate configuration information for a network element. There is no suggestion in *Kanada et al.* of the

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use of Boolean expressions to describe traffic at a high level, and then using those expressions to create configuration information. Therefore, the rejection is in error.


All pending claims recite traffic descriptors. Therefore *Kanada et al.* cannot anticipate any of them.

Conclusion

The application is now in condition allowance. Allowance of the application is therefore respectfully requested. Please telephone the undersigned representative if he may be of any assistance.

Please charge any additional fee that may be required or credit any overpayment to Deposit Account No. 13-4900 of Munsch Hardt Kopf & Harr, P.C.

Respectfully submitted,


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